

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JONATHAN MORGAN,

1:02-CV-06316-AWI-DLB-P

Plaintiff,

vs.

DORAN, et al.,

ORDER DIRECTING PERSONAL
SERVICE OF SUBPOENA BY
UNITED STATES MARSHAL
WITHOUT PREPAYMENT OF
COSTS

Defendants.

/ _____

Plaintiff is proceeding in forma pauperis pursuant to 28 U.S.C. § 1915. The court previously ordered plaintiff to provide information for service of process on form USM-285, a completed subpoena for each witness being commanded to appear, and a money order made payable to each witness as required for payment of witness fees and mileage. Plaintiff has submitted the required papers. Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of the Court is directed to forward the following documents to the United States Marshal:

- (1) One completed and issued subpoena to be served on **MTA ROUSSEAU**;
- (2) One completed USM-285 form;

(3) Two money orders:

- #10570055308 in the amount of \$40.00 for witness fees,
made payable to Ms. Rousseau, and
- #10570073681 in the amount of \$57.85 for mileage, made
payable to Ms. Rousseau;

(4) One copy of this order for MTA Rousseau, plus an extra copy for the Marshal.

2. Within thirty days from the date of this order, the United States Marshal is directed to personally serve the subpoena and money order on MTA Rousseau in accordance with the provisions of Rule 45 of the Federal Rules of Civil Procedure

3. The U.S. Marshal is directed to retain the subpoena in their file for future use.

4. The United States Marshal shall personally serve process and a copy of this order upon MTA Rousseau pursuant to Rule 45 of the Federal Rules of Civil Procedure and 28 U.S.C. § 566(c) and shall command all necessary assistance from the California Department of Corrections (CDC) to execute this order. The United States Marshal shall maintain the confidentiality of all information provided by the CDC pursuant to this order.

5. Within ten days after personal service is effected, the United States Marshal shall file the return of service, along with the costs subsequently incurred in effecting service. Said costs shall be enumerated on the USM-285 form and shall include the costs incurred by the Marshal's office for photocopying additional copies of the subpoena and for preparing new USM-285 forms, if required.

IT IS SO ORDERED.

Dated: January 9, 2007

/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE